

| | |
|--|-----------------------------------|
| JAMES JOSEPH JULUKE, JR., <i>an individual</i> , | § |
| | § |
| Plaintiff, | § |
| | § |
| v. | § Civil Action No.:3:14-CV-3271-M |
| | § |
| RETAIL SWC MALL, LLC, <i>a Texas Limited</i> | § |
| <i>Liability Company</i> , | § |
| | § |
| Defendant. | § |

ORDER OF REFERRAL FOR MEDIATION

Based on the parties' Joint Rule 26(f) Report, filed May 4, 2015, the Court determines that this case is appropriate for mediation. **Kenneth Jay Rubenstein, Burdin Mediations, 4514 Cole Avenue, Suite 1450, Dallas, TX 75205-4181 (Ph: 214/528-1411, Fax: 214/528-2070)** is appointed Mediator in this case. All counsel are directed to contact the mediator as soon as possible.

The mediation will be governed by Section III.D - G of the Court's Civil Justice Expense and Delay Reduction Plan.

The Mediator is expected to follow the 2005 Model Standards of Conduct for Mediators, which have been adopted by the American Bar Association, the American Arbitrator Association, and The Association for Conflict Resolution. The Standards may be accessed at www.abanet.org/dispute. If there are any parts of the Model Standards that the Mediator believes the Mediator cannot satisfy, the Mediator shall promptly notify the Court.

Fees for the mediation are to be divided and borne equally by the parties unless agreed otherwise, shall be paid by the parties directly to the Mediator, and shall be taxed as costs.

No subpoenas, summons, citations, or other process shall be served at or near the location of any mediation session, upon any person entering, leaving, or attending any mediation session.

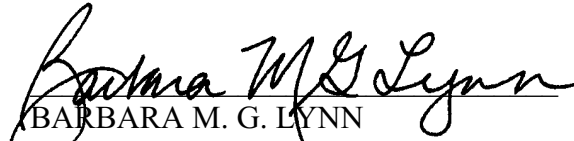
Counsel and parties shall proceed in a good faith effort to resolve this case and shall agree upon a date for **mediation to be completed by November 20, 2015.**

At the conclusion of the mediation, the Mediator will complete and file with the District Clerk the information required by § III.G of the Court's Civil Justice Expense and Delay Reduction Plan. See form attached.

This case is set for a bench trial during the Court's two-week docket beginning May 23, 2016, at 9:00 a.m. Referral to mediation is not a substitute for trial and the case will be tried if not settled.

SO ORDERED.

DATED: June 29, 2015.


BARBARA M. G. LYNN
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF TEXAS